



PLFV/pe

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Schneider et al.

Examiner: TBA

Serial No.: 10/544,123

Art Unit: 2878

Filing Date: August 2, 2005

For: ULTRASOUND CONTRAST AGENTS AND PROCESS FOR THE PREPARATION THEREOF

<u>Certificate of Express Mail Under 37 C.F.R. § 1.10</u>	
I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service on the date indicated below, and is addressed to:	
Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	
Date: <u>November 23, 2005</u>	Signature: <u><i>Pamela Gewirtz</i></u> Pamela Gewirtz

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR CORRECTION OF FILING RECEIPT – USPTO ERROR

POWER OF ATTORNEY APPOINTMENT

Sir:

Review of the attached copy of the Filing Receipt, mail date November 10, 2005 showed an error under the ***Power of Attorney*** heading. The data listed on the attached Filing Receipt reads "None", when in fact, a Power of Attorney was filed with the USPTO on September 8, 2005, a copy of which is enclosed herewith.

The enclosures specifically include copies of Form PTO/SB/81, Form PTO/SB96, Power of Attorney and Correspondence Address Indication Form; Statement Under 37 CFR 3.73(b), respectively, and an executed Assignment which were filed with the USPTO on September 8, 2005. The two initial documents were executed by an authorized officer of Bracco International B.V., who is the owner of the entire right, title and interest in and to the patent application listed above, and appointed practitioner ***M. Caragh Noone, Reg. No. 37,197***, of the company Bracco Research USA Inc., 107 College Road East, Princeton, NJ 08540, as their attorney, with full power of substitution and revocation, to prosecute this application for Letters Patent, to make alterations and amendments therein, to file continuation and divisional applications thereof, to receive any and all Letters

Patent issuing of the foregoing, to make all maintenance payments and to transact all business in the Patent and Trademark Office and in the Courts in connection therewith. Form PTO/SB/96 indicated copies of assignments applicable to the chain of title are attached, and a copy of the executed Assignment was duly attached.

Applicants' attorney respectfully requests that the *Filing Receipt*, a copy of which is enclosed, for this application be corrected to correctly read as follows:

Power of Attorney: M. Caragh Noone, Reg. 37,197


Accordingly, Applicants' attorney respectfully requests the issuance of a Corrected Filing Receipt and that the PTO records be updated to reflect the correction(s) as indicated in this immediate letter and revised copy of the Filing Receipt enclosed herewith.

Kindly direct all future correspondence regarding this application to the attorney at the following address:

M. Caragh Noone, Esq.
Bracco Research USA Inc.
305 College Road East
Princeton, NJ 08540
Tel.: (609) 514-2454
Fax.: (609) 514-2446

Dated: November 22, 2005

Respectfully submitted,



Attorney for Applicants

M. Caragh Noone, Reg. No. 37,197

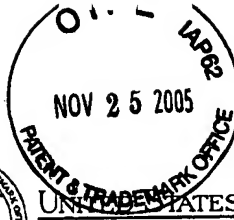
Bracco Research USA

305 College Road East

Princeton, NJ 08540

Tel: (609) 514-2454

Fax: (609) 514-2446

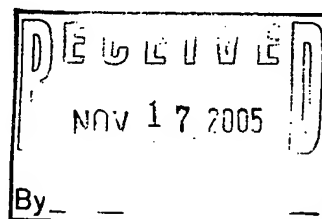


UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/544,123	08/02/2005	2878	3260	BR-033 PUS 01		55	3

31834
BRACCO RESEARCH USA INC.
305- COLLEGE ROAD EAST
PRINCETON, NJ 08540



CONFIRMATION NO. 7493

FILING RECEIPT



OC000000017429852

Date Mailed: 11/10/2005

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Michel Schneider, Troinex, SWITZERLAND;
Philippe Bussat, Feigeres, FRANCE;
Feng Yan, Grand Lancy, SWITZERLAND;
Christian Guillot, Beaumont, FRANCE;

Assignment For Published Patent Application

bracco international b.v

Power of Attorney: ~~None~~ M. Caragh Noone, Reg- 37,197

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/IB04/00243 02/03/2004

Foreign Applications

EUROPEAN PATENT OFFICE (EPO) 03002375.8 02/04/2003

Projected Publication Date: 02/16/2006

Non-Publication Request: No

Early Publication Request: No

Title

Ultrasound contrast agents and process for the preparation thereof

Preliminary Class

250

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof

unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



Express Mail Label No.: _____ Dkt. No.: BR-033 PUS 01

The U.S. PTO date stamp sets forth the date of receipt as:

Deposit Date: September 8, 2005

Application No.: 10/544,123 Filing Date: Aug. 2, 2005

Title: Ultrasound Contrast Agents And Process For The Preparation...

☐ Office Action/Notice Mail Date: _____

☒ Return Receipt Postcard:

☐ Transmittal Letter: _____ ☐ Fee Transmittal Letter: _____

☐ New Application: PRO _____ Non-PRO _____ CON _____ CIP _____ DIV _____ RCE _____

☐ Application: specs./claims/abstract: _____ drawings: _____ Fig(s): _____

☒ Declaration / Power of Attorney: _____ executed: X

☐ Assignment: _____ + PTO-1595 _____

☐ Preliminary Amendment: _____

☐ Amendment/Response: _____

☐ IDS: _____, PTO-1449: _____ + cited references: _____

☒ Other: letter appointing Power of Attorney (2pg); Statement
Under 37 CFR 3.73(b); copy of executed Assignment

Express Mail Label No.: _____ Dkt. No.: BR-033 PUS 01

The U.S. PTO date stamp sets forth the date of receipt as:

Deposit Date: September 8, 2005

Application No.: 10/544,123 Filing Date: Aug. 2, 2005

Title: Ultrasound Contrast Agents And Process For The Preparation...

☐ Office Action/Notice Mail Date: _____

☒ Return Receipt Postcard:

☐ Transmittal Letter: _____ ☐ Fee Transmittal Letter: _____

☐ New Application: PRO _____ Non-PRO _____ CON _____ CIP _____ DIV _____ RCE _____

☐ Application: specs./claims/abstract: _____ drawings: _____ Fig(s): _____

☒ Declaration / Power of Attorney: _____ executed: X

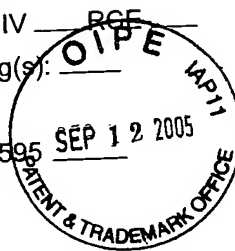
☐ Assignment: _____ + PTO-1595 _____

☐ Preliminary Amendment: _____

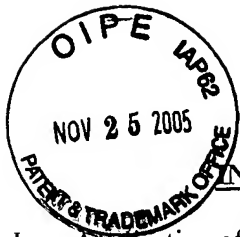
☐ Amendment/Response: _____

☐ IDS: _____, PTO-1449: _____ + cited references: _____

☒ Other: letter appointing Power of Attorney (2pg); Statement
Under 37 CFR 3.73(b); copy of executed Assignment



COPY



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Schneider et al.

Examiner: TBA

Serial No.: 10/544,123

Art Unit: TBA

Filing Date: August 2, 2005

For: ULTRASOUND CONTRAST AGENTS AND PROCESS FOR THE PREPARATION THEREOF

Certificate of Express Mail Under 37 C.F.R. § 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service on the date indicated below, and is addressed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Date: September 8, 2005

Signature: Pamela Gewirtz

Pamela Gewirtz

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

APPOINTMENT OF POWER OF ATTORNEY and

STATEMENT UNDER 37 CFR 3.73(b)

Sir:

Attached are Forms PTO/SB/81 and PTO/SB96, Power of Attorney and Correspondence Address Indication Form; and Statement Under 37 CFR 3.73(b), respectively. Both documents, executed by an authorized officer of Bracco International B.V., the owner of the entire right, title and interest in and to the patent application listed above, hereby appoint practitioner *M. Caragh Noone, Reg. No. 37,197*, solely of the company Bracco Research USA Inc., 107 College Road East, Princeton, NJ 08540, as their attorney, with full power of substitution and revocation, to prosecute this application for Letters Patent, to make alterations and amendments therein, to file continuation and divisional applications thereof, to receive any and all Letters Patent issuing of the foregoing, to make all maintenance payments and to transact all business in the Patent and Trademark Office and in the Courts in connection therewith. Form PTO/SB/96 indicates copies of assignments applicable to the chain of title are attached. An executed Assignment was filed concurrently with the filing of the above-referenced application. A copy of the executed Assignment is attached for your review.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



**POWER OF ATTORNEY
and
CORRESPONDENCE ADDRESS
INDICATION FORM**

Application Number	TBD
Filing Date	
First Named Inventor	Michel SCHNEIDER
Title	ULTRASOUND CONTRAST AGENTS AND PROCESS FOR THE PREPARATION THEREOF
Art Unit	TBD
Examiner Name	TBD
Attorney Docket Number	BR-033 PUS 01

I hereby revoke all previous powers of attorney given in the above-identified application.

I hereby appoint:

☒ Practitioners associated with the Customer Number:

31,834

OR

☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

☒ The address associated with the above-mentioned Customer Number:

OR

☐ The address associated with Customer

OR

<input type="checkbox"/> Firm or Individual Name			
Address			
City	State	Zip	
Country			
Telephone	Fax		

I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

SIGNATURE of Applicant or Assignee of Record

Signature		Date	July 26, 2005
Name	Tom Henschle	Telephone	+31 20 3012150
Title and Company	Proxy Holder		

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below *.

☐ *Total of _____ forms are submitted.

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require completing this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and elect option 2.

STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: Bracco International B.V.

Application No./Patent No.: _____ Filed/Issue Date: _____

Entitled: ULTRASOUND CONTRAST AGENTS AND PROCESS FOR THE PREPARATION THEREOF

Bracco International B.V., a corporation
 (Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
 The extent (by percentage) of its ownership interest is _____ %

in the patent application/patent identified above by virtue of either:

A ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

B ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
 The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
 The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
 The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☒ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Signature_____
Printed or Typed Name Tom Herbschleb_____
Title Proxy HolderJuly 26, 2005
Date+31 20 3012150
Telephone Number

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



ASSIGNMENT

WHEREAS, we, *Michel SCHNEIDER*, residing at 34 route d'Annecy, CH-1256 Troinex, Switzerland; *Philippe BUSSAT*, residing at 46 allée du Saleve, FR-74160 Feigères, France; *Feng YAN*, residing at 7 chemin des Champs Gottreux, CH-1216 Grand Lancy, Switzerland; *Christian GUILLOT*, residing at 70 chemin de Zone, FR-74160 Beaumont, France, all citizens of the _____ (hereinafter referred to as the "ASSIGNORS"), have invented a certain improvement in ULTRASOUND CONTRAST AGENTS AND PROCESS FOR THE PREPARATION THEREOF, described in a U.S. Non-Provisional Patent Application, the specification of which:

☒ is about to be filed in the United States Patent Office;

☐ was filed on _____ as Non-Provisional Application No. _____;

☒ was filed on February 3, 2004 as International Application No. PCT/IB2004/000243.

WHEREAS, we, *Michel SCHNEIDER*, *Philippe BUSSAT*, *Feng YAN* and *Christian GUILLOT* hereby authorize and request our attorney, M. Caragh Noone, of Bracco Research USA Inc., 305 College Road East, Princeton, NJ 08540, to insert here:

☐ Application number _____, filed _____,

the filing date and application number of said application when known:

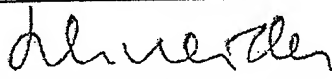
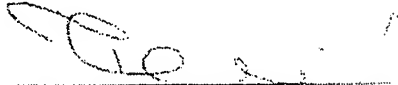
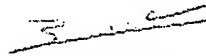
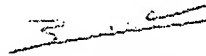
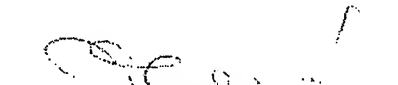
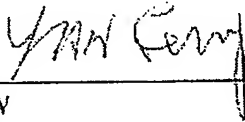

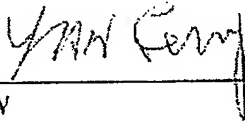





WHEREAS, BRACCO INTERNATIONAL B.V. (hereinafter referred to as the "ASSIGNEE"), a corporation having an office and its principle place of business Stravinskylaan 3051, 1077 ZX Amsterdam, the Netherlands desires to obtain the entire right, title and interest in, to and under the improvements and the application;

NOW, THEREFORE, to all whom it may concern be it known that for and in consideration of said agreements and of other good and valuable consideration, the receipt of which is hereby acknowledged, we have sold, assigned and transferred and by these presents do hereby sell, assign and transfer unto said ASSIGNEE, its successors, assigns and legal representatives, our entire right, title and interest in and throughout the United States of America, its territories and all foreign countries, in and to said invention as described in said Non-Provisional application, together with our entire right, title and interest in and to said Non-Provisional application and such Letters Patent as may issue on said invention; said invention, application and Letters Patent to be held and enjoyed by said ASSIGNEE for its own use and behalf and for its successors, assigns and legal representatives, to the full end of the term for which said Letters Patent may be granted as fully and entirely as the same would have been held by us had this assignment and sale not been made; we hereby convey all rights arising under or pursuant to any and all international agreements, treaties or laws relating to the protection of industrial property by filing any such applications for Letters Patent. We hereby acknowledge that this

assignment, being of our entire right, title and interest in and to said invention, carries with it the right in ASSIGNEE to apply for and obtain from competent authorities in all countries of the world any and all Letters Patent by attorneys and agents of ASSIGNEE's selection and the right to procure the grant of all such Letters Patent to ASSIGNEE for its own name as assignee of the entire right, title and interest therein;

AND, we hereby further agree for ourselves and our executors and administrators to execute upon request any other lawful documents and likewise to perform any other lawful acts which may be deemed necessary to secure fully the aforesaid invention to said ASSIGNEE, its successors, assigns and legal representatives, but at its or their expense and charges, including the execution of applications for patents in foreign countries, and the execution of any nonprovisional applications including substitution, reissue, divisional or continuation applications and preliminary or other statements and the giving of testimony in any interference or other proceeding in which said invention or any application or patent directed thereto may be involved;

AND, we do hereby authorize and request the Commissioner of Patents of the United States to issue such Letters Patent as shall be granted upon said invention to said ASSIGNEE, its successors, assigns, and legal representatives.

Inventor(s)	Date	
 Michel SCHNEIDER	13.7. 2005	 witness
 Philippe BUSSAT	13.07. 2005	
 Philippe BUSSAT	23.06. 2005	 witness
 Feng YAN	23.06. 2005	 witness
 Feng YAN	23.06. 2005	 witness
 Christian GUILLOT	23.06. 2005	 witness
 Christian GUILLOT	23.06. 2005	 witness